

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARLEY INDUSTRIES CORPORATION,
a New Jersey corporation,

Plaintiff,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY, REGION III,
EDWIN B. ERICKSON, in his
capacity as Regional Administrator
Region III, U.S. Environmental
Protection Agency,

Defendants.

CIVIL ACTION NO. 92-334E

ORDER

AND NOW, to-wit, this 11th day of September, 1995, for the reasons set forth above, it is hereby ORDERED, ADJUDGED, and DECREED that the cross-motion for summary judgment filed by plaintiff (Doc. 18) be and hereby is GRANTED and the motion filed by defendants (Doc. 11) be and hereby is DENIED.

IT IS FURTHER ORDERED that defendants' two motions to substitute the real party in interest (Docs. 22 and 34) be and hereby are DENIED as moot.

IT IS FURTHER ORDERED that plaintiff's Motion for Leave to File Supplemental Memorandum in Support of Motion for Summary Judgment (Doc. 43) be and hereby is DENIED as moot.

Maurice B. Cohill, Jr.
Maurice B. Cohill, Jr.
District Judge

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